

Federation of Victorian Film Societies Inc

INFORMATION SHEET 22 – (9TH April 2026)



OBTAINING SCREENING RIGHTS

Screening rights are a form of copyright so come under the relevant copyright law obligations which are explained in Information Sheet 12. It is very unlikely that a film you wish to screen is out of copyright, so you should always assume you must get approval to screen it.

In this document -

- Australian Council of Film Societies is referred to as ACOFS
- Federation of Victorian Film Societies is referred to as FVFS
- The screening rights described in this document relate to screenings from a DVD, and includes BluRay, HD and 4K. Rights to screen legally obtained downloaded or streamed movies can usually be approved by the process described here also.
- Screening rights are a form of copyright that belongs to the film studio, production company, producer or director of the movie. The rights can be sold to DVD distributors or their agents, who can then sell the rights to you for specific screenings.
- There is generally a fee involved when obtaining screening rights.
- It is not legal to screen a DVD in a public place without permission from the copyright holder. If you cannot locate the holder of the rights then you cannot be granted permission to screen in public.
- Owning a DVD does not confer the right to screen it in public. In public includes church halls, meeting rooms etc.
- Screening without the appropriate rights may lead to legal action, additional charges and put the ACOFS non-theatrical screening rights agreement in jeopardy for all film societies.

There are many forms of screening rights.

Theatrical screening rights

These are paid to the rights owners by cinemas and are usually calculated as a percentage of the income for any screening. Film festivals would also have to pay theatrical rates, but usually a flat rate can be negotiated. Screenings of DCP (Digital Cinema Packages) would normally come under this category.

Public Performance Licencing

PPL, as it is abbreviated, applies where a movie or DVD is screened in a public venue, and the public is invited to attend, whether free or paid for. The price is often negotiable depending on the reason for the screening. DVD distributors or agents are usually involved in PPL licencing rather than the studios themselves. A Community Cinema would usually require these rights for their screenings.

Non-theatrical screening rights

Where screening from a DVD or legally obtained digital file to members of a club or film society, these rights apply. They are generally cheaper than the PPL prices, but are limited to members only. (except for the occasional come-and-try-it potential member).

ACOFS negotiated film society rates

An agreement has been negotiated between ACOFS and most DVD distributors and licencing agents, such as Roadshow and Amalgamated Movies, for the rights to screen your own DVDs for discounted rights fees. This applies only to the non-theatrical screening of DVDs by affiliated film societies when screening to members only and there is no charge for an individual screening.

Exempt screenings

Screenings in a private home to personal friends (ie: not open to the public) are exempt from copyright restrictions. Screenings may be conducted without seeking permission from the rights owner or paying them a fee.

Rights for screenings of films (eg 16mm or 35mm film) would depend on the situation, but would probably come under any of the first three categories above.

THE PROCESS

In order for a film society to access non-theatrical screening rights under the ACOFS DVD rights agreement they must:

- Be a film society with current financial affiliation with one of the State Film Federations (eg: FVFS in Victoria).
- Screen to members only of the society, except for the occasional guest attending as a free “come-and-try-it” offer.
- Have a minimum membership period of 3 consecutive months.
- Do not charge admission to individual screenings.

How to obtain screening rights

Find the owner of the rights

- Search www.IMDb.com to find the year, director and any alternative title of the film you wish to screen.
- Browse www.classification.gov.au to search for the film title, using the above information. Sometimes you may need to search using the alternative title or director’s name.
- Select the record that matches the title, director’s name and year of the film you wish to screen.
- Scroll down to find who applied for classification. *Note that the technology quoted in the record will indicate how the film was presented to the classification board (which is really not relevant to your search) but it is likely that the same company will hold the rights for all technologies.*

Find the correct agent

- Go to ACOFS Fact Sheet 3B (at www.acofs.org.au/resources) to determine which agent represents the rights owner (ie the studio or production company). Contact the agent by email with your request for non-theatrical screening rights.

Details of request

Include the following details in your request:

- Your name.
- Film society name.
- FVFS membership number (It is in the format V-ww-x (yyyy) where ww is a sequential number, x is a category and yyyy the year.
- Average audience size (this will be used to determine the cost of the rights).

- DVD details – title and year.
- Date and location of screening.
- State that you will use your own DVD, be screening to members only, under the ACOFS DVD rights agreement for non-theatrical screenings.

Other considerations

- We suggest you do not purchase a DVD or publicise your programme until you are sure that you can secure the rights to screen a particular film.
- It may be possible to hire a DVD from the distributor, but this is not part of the DVD rights agreement.
- If a DVD is not available for purchase in Australia or has not been released in Region 4, then it is unlikely that there will be an Australian distributor for that DVD and permission to screen may be very difficult or expensive.
- If a DVD is not available, the rights holder (or agent) may be able to supply a digital file of the movie by a download link or on Flash memory.
- Even if a distributor has the non-theatrical rights for a DVD in Australia, they are not obliged to agree to your request to screen the DVD, although it would not make good business to refuse!
- Pay promptly after the screening.

International alternatives

Park Circus in Glasgow has many DVD titles for which they can sell you the screening rights. They have an agent in Sydney.

FilmBankMedia apparently operate the same way as Park Circus, but this is untested.

PRACTICAL CONSIDERATIONS

The simplest way to be sure that a DVD you plan to screen has a distributor in Australia is to program only those DVDs which are in current release in Australia from a commercial DVD sales outlet. The producer and usually the distributor will be listed on the cover of the DVD.

To determine quickly whether a DVD is on sale in Australia it is simple to check one of the many on-line DVD sales outlets such as www.jbhifi.com.au.

When a company releases a film or DVD for sale or rent they usually register the title with the Australian censorship board, the results of which are listed on www.classification.gov.au. It can usually be assumed that the company registering for classification will also own the Australian copyright licence, so they should be able to approve the screening licence. In many cases the job of actual distribution is handed over to an agent, who should also be able to approve a screening.

Any DVD that is either too new, too unusual or too old to be listed for sale at such a sales outlet is unlikely to have an Australian distributor or rights holder, but not impossible.

Note that the medium listed on the classification website is that used to seek classification. It is not necessarily the only medium in which the movie is available. Furthermore, in some cases a movie may be registered on the classification website without a DVD being available in Australia. If so, the screening rights are still valid for a DVD obtained from overseas, or a copy of the movie obtained legally from any source, including streamed or downloaded.

STREAMING SERVICES

In general, a movie may only be screened in public if the owners of the screening rights agree. This applies to any legally obtained copy of the movie, whether on film, DVD, BluRay, DCP, USB memory chip or streamed.

When a streaming service (eg Netflix or BritBox) has the sole ownership of a movie (eg if they funded the making of the movie) it is very unlikely that they would agree that another organisation be given permission to screen it.

Streaming services linked to a DVD distributor however, may be willing to approve your screening. For example, Kanopy (linked to Ronin Films), Brollie (linked to Umbrella Entertainment) or Beamafilm (linked to Antidote Films).

Streamed movies have the same rights conditions as a DVD screening. You may screen it in public only if the rights owner agrees. A home cinema screening is acceptable only if the audience are friends and family. There must be no promotion and no public admission.

Note that to stream a movie through a large projected image there may be additional technical and availability issues to overcome.

Screening from a TV broadcast is not permitted. The TV broadcast company usually has the broadcast rights for the movie, but is normally not in a position to approve its screening in a public venue or to the general public.

COPYRIGHT FAQ

Q1: How do I know if a DVD has an Australian rights owner?

If a DVD is on sale commercially in Australia (as a region 4 or region 0 DVD) then someone must hold Australian screening rights. The distributor will normally be shown on the DVD cover, or you can check on www.classification.gov.au to find out if it has been classified by the Australian censors and who applied for the rating. Australian sales outlet websites generally identify the Australian distributor and hence the rights owner. For example, check www.jbhifi.com.au

Q2: Do I need to pay screening rights for all DVDs screened regardless of whether I rent or buy the DVD?

A DVD borrowed from a retail video outlet or from your local library includes the right to screen in a private home but not in a public venue. You will need to obtain non-theatrical screening rights from the distributor or their agent. (See ACOFS Fact Sheets for contacts.)

A DVD hired from a distributor such as Roadshow (\$50 - \$300) can include non-theatrical screening rights.

A DVD borrowed from a friend or private collection, or purchased for the occasion does not include the right to screen it in public. Non-theatrical screening rights must be obtained, in advance, from the Australian rights owner or their agent

The situation regarding rights to screen 16mm films is similar to the above in that the cost of hiring a film usually includes screening rights. The exceptions are those from private collections or the NFSA film archives, which all require permission to screen them in a public venue.

Q3: Can I get screening approval from an overseas rights owner?

Theoretically yes. But a rights holder in another country may not own the Australian screening rights, even if there isn't a distributor in Australia.

Another option is to approach an overseas distribution company who might hold the international screening rights and thus be in a position to approve screenings in Australia. Such companies are at www.parkcircus.com (in Glasgow) or <https://www.filmbankmedia.com> in the UK. More detail is available in the ACOFS fact sheet 3B.

Even if permission can be obtained from an overseas rights owner, they are not party to the ACOFS agreements and may not be aware of the film society movement in Australia and their non-theatrical and non-profitmaking status here. The screening rights fee is therefore likely to be considerably higher than that negotiated locally, and may not be viable to consider. On the other hand, a producer of the movie may prove generous to film societies and allow them to screen the DVD at no charge.

Q4: Can I screen at the film society, a DVD that was hired from a DVD rental shop?

Yes. But the Australian copyright law states that a DVD may NOT be screened in public unless the copyright owner has given permission. For DVDs owned by a film society, prior permission should be sought from the copyright owner (usually the Australian distributor marked on the DVD cover) and an appropriate fee paid. While this includes DVDs borrowed from a member or retail DVD store, it is not recommended because there is no guarantee of the quality of such a copy nor that it will be available when you want to screen it.

Q5. Is it possible to buy late release DVDs before they appear in the retail outlets? Can we for example, buy them from the USA? How do I go about this?

You are right. It is possible to buy DVDs over the internet from overseas, but then it may be difficult to get approval to screen them in Australia. The Australian copyright law states that you

must have approval from the holder of the Australian rights before you screen a DVD to a film society in a public venue. This may be an Australian company, an individual or an overseas company.

A USA film usually turns up in Australia within a year of cinema release in the USA and Australia. Foreign films screened at the Melbourne or Sydney Film Festivals will only turn up on DVD if an Australian distributor decides to buy the film and the screening rights. It will then usually turn up in the DVD stores about 18 months after the film festival.

If there is no rights holder in Australia the rights probably belong to the international distributor in the USA, Asia or Europe, depending on the country of production. As overseas distributors have not been in discussion with either the FVFS or ACOFS about screening rights – nor are they aware of the “non-theatrical” rights status of film societies in Australia, it is unlikely you will get approval from an overseas distributor at an acceptable price, if at all – assuming you can locate the rights owner.

It is often easiest to limit your society’s screening selection to region 4 DVDs which guarantees there is an Australian distributor. This can be done by checking the on-line catalogues of Australian distributors such as JB HiFi (www.jbhifi.com.au) or checking www.classification.gov.au. These websites usually also identify the Australian distributor, and approaching that distributor or their agent usually results in permission to screen the DVD for an acceptable fee. (Refer to the information sheets about the ACOFS DVD rights agreements on the FVFS website.) The latest information is always available on www.acofs.org.au in Fact sheet 3B.

Note that Roadshow and Amalgamated Movies are agents for many of the smaller distributors so approaching them first usually covers 80% of all rights sought. You can usually then buy the DVDs from JB HiFi or similar outlets – often even Kmart, Coles, eBay or Fishpond etc!

Q6. Do I have to sign a contact with a supplier?

In some cases the DVD rights supplier may still want you to complete a “contract” before accepting orders from your society. Suppliers have their own procedures, which are often driven by their own financial requirements rather than by the rights process. Many require details of your society before they can set up an account and begin to deal with you. Where a company asks for directors’ names and “guarantors”, you should explain that the film society is affiliated with the FVFS and incorporated (if it is) and that it is a not-for-profit organization. You will need to provide the name of a reliable contact such as secretary or treasurer. You should attempt to comply with their procedures (at least on face value) so their systems can deal with your bookings.

Q7. How do I go about getting rights clearance for screening DVDs?

This is one of the most often asked questions, and for that reason we have prepared several information sheets which cover all aspects. Check out the FVFS website in particular Information Sheets 07 (Digital Technology), 22 (Obtaining DVD rights) 31 and 31A (Finding DVD rights - A presentation made at an FVFS Information Day in November 2023).

The latest information can always be found on the ACOFS website at www.acofs.org.au in Fact Sheets 3A and 3B.

Q8. Who do I approach to get approval to screen a DVD at a film society?

All the updated contacts, procedures and charges are contained in Fact sheet 3B of the ACOFS website.

Q9. Are the older movies on DVD out of copyright?

Not necessarily. Check out Information Sheet 12 (Copyright) for answers or further references.

Q10. Can I screen it if the screening rights have expired?

In many cases the Australian distributors’ screening rights for DVDs of older movies may have expired. Unfortunately this does not mean that you can screen it for free, but it does mean there is no-one in Australia to give you permission to screen the movie, and the copyright law says that no permission means no screening! When copyright expires or lapses it simply means that the distributor here no longer has current rights to the DVD in Australia. The DVD is not free of copyright until the film is in the public domain, which may be as much as 70 years after the death of the

director.

Q11. Can FVFS put together a database of all DVDs and their rights owners?

It would not be easy to keep such a database up to date.

The rights ownership situation changes day to day. New DVD titles are released daily and there is no way of knowing which will be sought by film societies. Rights generally expire after a few years and may be taken up by other distributors, but more likely, not at all. Rights owned by one distributor are only occasionally taken over by other distributors.

The main distributor agents, Roadshow, Amalgamated Movies and Umbrella account for over 90% of the recent titles sought by film societies and they are very helpful in finding the current rights holders, and they all have their own databases which are readily accessible through the internet.

The DVD cover and some on-line sales outlets will name the Australian distributor, and ACOFS Fact Sheet 3B attempts to keep up-to-date with which distributor is now handling DVDs from the many production companies.

The FVFS, through ReelNews and Information Sheets on the website, provides lists of what member film societies have screened, (and what StarBox score they received) so if any society has already screened a DVD for which you are seeking the rights, that society should be able to assist your search.

OTHER OPTIONS

If there are any DVDs of important films for which you cannot find the screening rights please let us know so that we may follow it up and perhaps explore other options.

Some final points

- The classification index sometimes lists the movie under the original foreign title.
- Rights for films older than 5 –10 years may have expired although still appearing in the classification index.
- When rights expire they revert to the original producer of the film. Seeking rights from them can be difficult and expensive.
- If the rights have expired, they may now be held by another distributor.
- Where a film was made for a streaming company the rights will probably be owned by that company, and unavailable for film societies.
- If a streaming company has purchased the rights to a commercial film title, it may also be available to your film society through the usual channels.
- For theatrical screenings (ie: screened to the public, or if there is a charge for admission) screening rights must be negotiated directly with the rights owner or their agent as these screenings are not subject to the ACOFS DVD rights agreement.



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